

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

JAMES A. HOLMQUIST and  
SCOTT A. WHITE,

Plaintiff(s),

vs.

EXOTIC CARS AT CAESARS  
PALACE, LLC, and RICHARD WEISMAN,

Defendant(s).

2:07-cv-0298-RLH-GWF

**ORDER**

Before this Court is the Findings and Recommendation of United States Magistrate Judge (#109, filed August 29, 2008), by the Honorable George W. Foley, regarding Plaintiffs' Motion to Strike Answer of Defendant Weisman for Failure to Obey the Court's May 1, 2008, Discovery Order (#97). No objection was filed to Magistrate Judge Foley's Findings and Recommendation of United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada, and the matter was submitted for consideration.

The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Findings and Recommendation of Magistrate Judge Foley should be accepted and adopted.

////

////

1 IT IS THEREFORE ORDERED that Magistrate Judge's Findings and Recommenda-  
2 tion (#109) is ACCEPTED and ADOPTED and Plaintiffs's Motion to Strike Answer of Defendant  
3 Weisman for Failure to Obey the Court's May 1, 2008, Discovery Order (#97) is GRANTED.

4 IT IS FURTHER ORDERED that Defendant Weisman's Answer is hereby stricken  
5 and the Clerk of Court is directed to enter a Default against said defendant.

6  
7 Dated: September 29, 2008.

8  
9   
10 **ROGER L. HUNT**  
11 Chief U.S. District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26